IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No. 1732 of 1984

For Approval and Signature:

HONOURABLE MR.JUSTICE KS JHAVERI

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SHANTILAL AMRUTLAL SHAH - Appellant(s)
Versus
BABULAL KHUBLAL RAJPUT & 1 - Defendant(s)

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Appearance :
MR AD SHAH for Appellant(s) : 1,
None for Defendant(s) : 1,
MR BP TANNA for Defendant(s) : 2,

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CORAM : HONOURABLE MR.JUSTICE KS JHAVERI

Date : 01/08/2006

ORAL JUDGMENT

1. This matter was listed before this Court time and again. The matter was initially listed on 03.07.06, when the following order was passed:

> Office is directed to show the name of Mr. A.J Shah, learned advocate instead of Mr. A.D. Shah. Mr. B.P Tanna, learned advocate for the respondents requests for time. S.O to 27/07/06.

2. Thereafter the matter was listed on 27/07/06 and further on 28/07/06 when the following order was passed:

> "Mr. Shah, ld. Ad. for the Appe. is not present, even in the third round. Hence, as a last chance, S.O to 01st August 2006.

> It is further made clear that on that day matter will be taken up even if he remains absent.”

3. However, inspite of the above adjournments none appears for the appellant even today. In that view of the matter, it seems that the appellant is not interested in proceeding further and therefore no fruitful purpose will be served by frequent adjournments.

4. In view of the above, appeal is dismissed for default. No order as to costs.

(K.S. JHAVERI ,J.)

Divya//